

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW



BY: *[Signature]*

DATE: 4/21/03

#12 RCE/1600  
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PATENT  
BOX RCE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of :  
Robert Henry *et al.* : Group Art Unit: 1638  
Appln. No.: 09/839,813 : Examiner: Stuart Baum, Ph.D.  
Filed: April 20, 2001 :  
Title: NEW PLANTS FORMED BY : Attorney Docket No.  
MICROPARTICLE BOMBARDMENT : 54195-5001  
WITH UNCHARACTERISED DNA :

**AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the Office Action mailed November 21, 2002 (Paper No. 10). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☐ Enter the unentered Amendment previously filed on &@ under 37 CFR 1.116 in the above application.
- ☐ An Amendment/Request for Reconsideration.
- ☒ An Information Disclosure Statement, PTO-1449 and cited references.
- ☐ New formal drawings.
- ☒ A Petition for Extension of Time to Two Months for the pending application.
- ☐ Other: &@

The following fees are enclosed:

- ☒ RCE fee of **\$370.00** required under 37 C.F.R. 1.17(e).
- ☒ Extension of time fee in the amount of **\$200.00**.
- ☐ Additional claim fees of &@ for excess claims submitted in the enclosed Amendment, calculated as follows:

04/28/2003 RMEBRAHT 00000035 500310 09839813

01 FC:2801 375.00 CH  
02 FC:2252 205.00 CH

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL		(-)	or 20		x9		x18	
INDEP.		(-)	or 3		x49		x80	
<input type="checkbox"/> 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$135		+\$270	
					TOTAL		TOTAL	

- ☐ Firm check(s) totalling \$\_\_\_\_.00 is/are enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-0310 (Billing No. **54195-5001**) as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ RCE fee in the amount of **\$370.00**.
- ☒ Extension fee in the amount of **\$200.00**
- ☐ Additional claim fee(s) in the amount of \$\_\_\_\_.00 as calculated above
- ☒ Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.
- ☐ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

#### CORRESPONDENCE ADDRESS

Respectfully submitted,

**ROBERT HENRY ET AL.**

April 21, 2003  
(Date)

By:

Kathryn Doyle  
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KD/TMS/prw *del*